

**AN ORDINANCE AMENDING ZONING REGULATIONS
REGARDING SIGNAGE IN THE VILLAGE OF BARRINGTON HILLS**

WHEREAS, the Village of Barrington Hills (hereinafter the "Village") is a duly organized and existing Illinois home rule municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village of Barrington Hills is authorized and empowered, under the Municipal Code and the Code of Ordinances of the Village of Barrington Hills, to regulate properties located within the municipal boundaries of the Village; and

WHEREAS, in furtherance of this authorization, the Village of Barrington Hills has adopted a zoning code, set forth in Title 5 Zoning Regulations of the Village's Municipal Code to, among other purposes, effectuate the Village's planning program and to regulate individual property use by establishing use districts, building site requirements, setback, density, parking and height regulations, and by specifying external impact standards for noise, smoke, odor, glare and vibration; and

WHEREAS, Section 5-10-6(B) of the Village's Municipal Code provides that the Village's Zoning Board of Appeals may initiate an amendment to the text of the zoning code; and

WHEREAS, the Zoning Board of Appeals, at the direction of the Village Board, applied to amend the text of the zoning code relative to signage in the Village, as set forth in Chapter 5; and

WHEREAS, Notice of Public Hearing with respect to the proposed text amendment was published in the Daily Herald Newspaper in the Village of Barrington Hills, as required by the village code and statutes of the State of Illinois; and

WHEREAS, pursuant to said Notice, the Zoning Board of Appeals of the Village of Barrington Hills conducted a Public Hearing on the proposed Text Amendment on March 10, 2020 and after hearing the amendment, the Zoning Board of Appeals voted unanimously to recommend adoption of the text amendment relative to signage in the Village as set forth in Exhibit A attached hereto, such regulations as intended to replace existing sign regulations; and

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendation in regard to the amendment to the Village Board, in the Findings and Recommendation, attached hereto and incorporated herein by reference as Exhibit "B;" and

WHEREAS, the President and Village Board of Trustees has considered the matter and determined that the proposed text amendment to Title 5 Zoning Regulations, as set forth in Exhibit A, relative to signs be approved, as such action is believed to be in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Lake, Kane and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That Title 5 Zoning Regulations, Chapter 5 be revised to eliminate Sections 5-5-11, 5-6-9, 5-6-14 and 5-7-17, and to replace or restate these sections with the new Sign Regulations set forth in Exhibit A.

SECTION THREE: That Title 5 Zoning Regulations, section 5-10-4 relative to variations, and section 5-10-7 relative to special uses, be amended as shown in Exhibit A.

SECTION FOUR: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 24th day of March, 2020.

Ayes: 7 Nays: 0 Absent: 0

APPROVED:


Village President

ATTEST:


Village Clerk

Chapter 5 SIGN REGULATIONS

5-11-1: TITLE

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5-11-1: TITLE:

This chapter is entitled the Village of Barrington Hills Sign Regulations, and may be referred to as the sign regulations or the sign code.

5-11-2: AUTHORITY, PURPOSE AND STANDARDS:

(A) Authority: It shall be unlawful for any person to erect or cause to be erected any sign located within the Village contrary to the provisions of this chapter as hereinafter provided.

(B) Purpose: The purposes of these sign regulations are:

1. To regulate signs that may, by reason of their size, location, construction or manner of display, endanger the public safety of individuals.
2. To regulate signs that may confuse, mislead or obstruct the vision necessary for traffic safety.
3. To maintain the character of each district as set forth in this title.
4. To encourage and promote way finding.
5. To encourage and promote the integration of signs into their surroundings.
6. To encourage and promote the general aesthetic and public safety in the village.

(C) General Guidelines and Standards

1. General Standards:

- a. **Construction of This Chapter:** These sign regulations shall be construed to comply with the United States Constitution, particularly the 1st Amendment guarantee of Free Speech, the Illinois Constitution, and other applicable State and Federal laws.
- b. **Compliance With Code:** Signs shall be classified and permitted in accordance with the regulations set forth in this chapter and only those signs specifically permitted by the text of this chapter shall be permitted. The classification of signs shall be in accordance with the various use districts designated now or hereafter established in this title and shall be subject to further restrictions by all application provisions of this code.
- c. **Exempt Signs:** The following signs are exempt from the regulations of this chapter, and are allowed in every zoning district: traffic control signs, traffic signals, and/or safety warnings, whether within a public right-of-way or on private property; municipal way finding signs, directional signs, traffic signals and/or devices, legal notices, railroad crossing signs, danger signs, temporary emergency signs, public utility signs, trail marking signs and those required or recommended by state or federal law, and other similar signs.
- d. **Abandoned Signs:** Any sign which identifies a use, occupancy, and/or activity no longer being conducted for (30) calendar days or longer shall be removed by the owner of the property or the person having occupancy of and/or control over the property upon which such sign is located, and shall be declared abandoned and are subject to removal.
- e. **Removal Of Illegal Nonconforming Signs:** Any sign that is in violation of these sign regulations and is erected after the effective date hereof is hereby classified as "illegal and nonconforming". Whenever the Zoning and Building Enforcement Officer determines that an illegal and nonconforming sign exists, he shall notify the person displaying such sign by certified mail, return receipt requested. Such person shall, within ten (10) calendar days of the date of the notice, either remove the sign or initiate action necessary to bring the sign into compliance with regulations set forth herein, including applying for any required permit.
- f. **Maintenance, Damage To Nonconforming Signs:** Normal maintenance of signs, including necessary non-structural and non-electrical repairs and incidental alterations which do not extend or intensify the nonconforming features of the sign, is permitted during any amortization period or the period in which permit applications are pending. However, no structural alterations, enlargement or extensions shall be made to a sign unless the alteration will result in eliminating the nonconforming features of the sign. If a sign is damaged or destroyed by any means to the extent of fifty percent (50%) of its replacement value or fifty percent (50%) of its surface area, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of these sign regulations.
- g. **Unsafe Signs:** If the Building and Zoning Enforcement Officer finds that any sign is unsafe or unsecure, or constitutes a danger to the public, he or she shall give written notice to the owner of the premises. If the owner fails to make corrections or fails to remove or alter the sign within ten (10) calendar days of the date of said notice, the sign may be removed by the Building and Zoning Enforcement Officer at the expense of the owner of the property upon which such sign is located. However, the Building and Zoning Enforcement Officer may cause any sign that is an immediate and imminent peril to persons or property to be removed summarily with or without notice. Any expense incidental thereto shall be paid by the owner of the property on which the sign is located.

- h. **Signs Not To Constitute Traffic Hazard Or Cause Glare:** No sign of any nature or type shall be erected or maintained in such a manner as to obstruct free and clear vision, or so as to distract the attention of the driver of any vehicle, bicyclist, and/or pedestrian by reason of the position, shape or other characteristics thereof.
- i. Signs may not be located within ten (10) feet from any side or rear lot line.
- j. Illumination of signs shall be in accordance with the village's lighting ordinance.
- k. Only one sign shall be permitted identifying a contractor, architect, engineer, and subcontractors engaged in the construction or improvement of a building upon the property which the sign is located, provided such sign shall not exceed six (6) square feet in area and no more than six feet (6') in height. Such signs shall be removed upon completion of the project for which the permit was issued.
- l. Neighborhood or other similar type residential association identification signs shall be permitted only by special use permit issued subsequent to public notice and hearing and a recommendation the Zoning Board of Appeals and approved by the Board of Trustees. Such signs shall contain only the name or identifying character of the subdivision. No advertising, names, addresses or phone numbers of any person shall be permitted thereon.
- m. Signs advertising motor vehicles, recreational vehicles, trailers, watercraft or any other similar property "For Sale" are prohibited in all districts.

5-11-3: DEFINITIONS:

Unless otherwise expressly stated, the following words and terms shall, for the purpose of this chapter, have the following meanings indicated in this section, which definitions shall prevail over any other definitions relative to signs set forth in the zoning ordinance

BANNER SIGN: Any sign printed or painted on cloth, plastic or canvas or flags or pennants and used for attracting the attention of the public.

BUILDING AND ZONING ENFORCEMENT OFFICER: Shall mean and include the duly appointed Building Inspector, building Commissioner, Building Officer or any deputy thereof.

BUSINESS SIGN: A sign which directs attention to a business or profession or service sold or offered upon the premises, with the commodity or entertainment being incidental thereto.

ELECTRONIC SIGN: Any sign which uses changing lights to form a sign message or messages or visual graphics, wherein the sequence of the message or graphics and the rate of change is electronically, electrically, remotely or automatically programmed and may be modified by electronic, electric, remote or automatic processes.

ERECT: To build, construct, attach, hang, place, suspend or affix, and shall also include the initial painting of all signs.

FOR SALE: Notice or sign promoting the offering of real estate and/or personal property for sale, e.g., garage sales, estates sales, etc.

PERSON: Shall mean and include any individual, firm, partnership, association, corporation, company or organization of any kind.

PREMISES: Any property, improved or unimproved.

OPEN SPACE: Private property permanently dedicated by deed or held by a private, not-for-profit organization for landscape maintenance, restoration or for habitat maintenance, which adjoins a public road.

SIGN: Any device or advertising symbol including, but not limited to, exterior clock, temperature indicator, marquee, canopy, awning, placard, or other representation, which may or may not contain words, letters, printing, picture, designs or combinations thereof used in the nature of advertisement, announcement or directions calculated to attract the attention of the public.

TEMPORARY SIGN: Any sign with or without structural frame, intended to be displayed for a limited duration of time as further defined in this Chapter.

ZONING ORDINANCE: The zoning ordinance of the village of Barrington Hills.

5-11-4: PERMITTED SIGNS - RESIDENTIAL USE DISTRICTS:

The following signs shall be permitted in residential districts in accordance with the regulations set forth in this sign code, and, as more particularly set forth hereinafter.

(A) Nameplates and identification signs, subject to the following:

1. **Area and Content:** A single nameplate/identification sign, not exceeding six (6) square feet (not including any post(s) and frame), shall be permitted. Such nameplate/identification sign shall indicate occupant and/or property name and/or address and may include an accompanying graphic. In the case of a corner zoning lot, one (1) such sign per frontage shall be permitted.

(B) Signage designating multiple addresses, subject to the following:

1. Signage shall be permitted to be posted at an intersection to designate multiple addresses located on a single public or private road intersecting the intersection.
2. **Height:** No sign shall project higher than eight (8) feet above grade on which the sign is located.

(C) Signs Designating a Parking Area, subject to the following:

1. **Area and Number:** Signs designating parking area entrances or exits are limited to one sign for each such exit or entrance and to a maximum size of two (2) square feet each. One sign per parking area, designating the conditions of use or identity of such parking area and

limited to a maximum size of six (6) square feet shall be permitted. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted.

2. **Projection:** No sign shall project into the public way.
3. **Height:** No sign shall project higher than eight (8) feet above grade on which the sign is located.

(D) "No Solicitation"; "No Trespass"; "Security", "Warning" and similar signs, subject to the following:

1. **Number:** No more than one of each sign shall be located per driveway entrance on a zoning lot.
2. **Location:** The sign(s) shall be affixed to a pole, stake, mailbox or tree on the property and shall be spaced a minimum of fifty feet (50') from another sign of same message i.e. "no trespassing" sign spacing in relation to another "no trespassing" sign.
3. **Size:** The sign(s) shall not exceed one (1) square foot in area.

(E) Private Drive: signs designating private drives shall be permitted, subject to the following:

1. **Number:** No more than one of each sign shall be located per driveway entrance on a zoning lot.
2. **Size:** The sign shall not exceed one (1) square foot in area.

(F) Small Subdivision: signs designating small subdivisions shall be permitted as part of the approval of the subdivision, or pursuant to the provisions of section 5-10-7.

5-11-5: PERMITTED SIGNS – B AND BP DISTRICTS:

It shall be unlawful to erect in any B or BP district any sign which does not comply with the following regulations:

(A) **Permitted Signs:** Business signs, as defined in this chapter.

(B) **Requirements for construction and maintenance of any sign:**

1. **Sign Placement:** Signs attached to a building or buildings shall be erected parallel to the vertical wall surfaces and shall not project more than eighteen inches (18") outward from the wall on which it is attached. No sign shall extend to closer than three feet (3') of the top or sides of the wall upon which it is attached. No signs shall be permitted on any wall, fence or standard facing a transitional yard.

2. Sign Area:

- i. Signs in the B-1 through B-4 districts shall have an area of no more than three hundred (300) square feet or twenty percent (20%) of the total area of the facade on which it is placed, whichever is less.
- ii. Signs in the BP district shall have an area of no more than one hundred (100) square feet or five percent (5%) of the total area of the facade on which it is placed, whichever is less. Developers may use wall or freestanding signs provided the total area of all signs does not exceed the above requirement and provided further that all signs shall be presented as a sign package subject to the approval of the plan commission as part of the site design pursuant to section 5-6-14 of this chapter.
- iii. Marquee Or Canopy Signs: Signs attached to or hung from a marquee or canopy shall be completely within the borderline of the outer edge of the marquee or canopy and shall in no instance be lower than eight feet (8') above the ground or surface over which the marquee or canopy is constructed.
- iv. Freestanding Signs: Signs, clocks or other advertising devices erected upon standards or separate supports shall be placed so as to be entirely within the property lines of the premises upon which it is located, and no part of the sign or standard shall have a total height greater than twenty five feet (25') above the road grade of the street or highway upon which the sign faces or above the adjoining ground level if such ground level is above the road grade. The surface area of any such sign shall not exceed an area of one hundred (100) square feet.
- v. Traffic Or Directional Signs: Traffic or directional signs designating entrances, exits and conditions or use of parking facilities accessory to the material use of the premises may be erected and maintained, provided they are located within the property lines of the subject property, and provided that any such sign shall not exceed an area of twelve (12) square feet.
- vi. Right Of Way: No sign or other advertising device shall be erected or located within three hundred feet (300') of the right of way of any limited access highway.
- vii. Residential Districts: No sign or other advertising device shall be permitted within seventy-five feet (75') of any residence district boundary.
- viii. Illumination: Signs or other advertising devices permitted hereunder may be illuminated, provided that no such illumination shall be of the flashing or intermittent type. Upward lighting is prohibited in all instances.
- ix. Conflicting Signs: Signs or other advertising devices which may be in conflict with public traffic signals shall not be permitted.
- x. In the BP district, no freestanding sign of any type shall be erected unless it is a monument sign replacing the building sign whose area is calculated as in subsection (B) of this section, and having a maximum height of seven feet (7') above the grade on which the sign

is located. All portions of freestanding signs shall be at least five feet (5') back from the lot line.

5-11-6: PERMITTED SIGNS – LIGHT INDUSTRIAL DISTRICT:

It shall be unlawful to erect or maintain in the Light Industrial District any sign other than the following: signs identifying the occupant of a building or buildings subject to the regulations governing the erection and maintenance of signs in a B-1 through B-4 district.

5-11-7: PERMITTED SIGNS - OPEN SPACE PROPERTY:

Significant property in the village has been dedicated by deed or permanent easement for landscape maintenance, restoration, or habitat maintenance or open space preservation. Such property should be permitted to be duly identified to the public as open space preserved for the benefit of the public. When such property adjoins a public right of way, signage is permitted on such property to designate its status as open space, subject to the following regulations:

- (A) Only one (1) sign is permitted per frontage.
- (B) The sign may identify the owner or conservator of the open space which identification may allow the use of a logo, the name of the property, and address of the property and/or use of the property..
- (C) For parcels ten (10) acres or less, the sign may be a maximum of six (6) square feet. Properties ten (10) acres or greater are permitted a sign to a maximum of twenty (20) square feet.
- (D) No sign may project higher than eight feet (8') above grade on which the sign is located and must be set back no less than ten (10) feet from the adjacent road pavement.
- (E) All other sign regulations apply unless specifically contradicted in this section.

5-11-8: PERMITTED SIGNS - NONRESIDENTIAL USE IN A RESIDENTIAL DISTRICT:

Signs on non-residential properties located in residential districts shall be subject to the same provisions of residential properties unless otherwise allowed as part of a special use permit.

5-11-9: TEMPORARY SIGNS:

Temporary signs shall be permitted in all districts, pursuant to the regulations set forth herein.

- (A) For sale or for rent signs, subject to the following:

1. Number: No more than one for sale or for rent sign shall be located on a zoning lot. On a corner zoning lot one (1) such sign per frontage shall be permitted.

2. **Location:** All for sale and for rent signs shall be located on the lot or tract to which the sign pertains, provided, however, if a lot does not front or abut on a public or private right of way, a for sale or for rent sign permitted in this subsection may be located on the lot adjacent to the lot to which it pertains with the permission of the owner.
3. **Size:** No for sale or for rent sign shall exceed six (6) square feet in area.
4. **Height:** No for sale or for rent sign shall project higher than eight feet (8') as measured from the ground to the top of the sign.
5. **Subdivision For Sale Sign:** A subdivision with multiple lots may have one for sale sign, not exceeding twelve (12) square feet in area or projecting higher than eight (8) feet above ground level, said sign shall be located on the premises of the subdivision at a location to be determined by the Zoning and Building Enforcement Officer.
6. **Duration:** Any for sale or for rent sign may be displayed on private property during the time such property is on the market for sale or lease; however, any such sign shall be removed within seven (7) calendar days of the property's sale, lease or removal from the market.

(B) Open House, Estate Sale, Garage Sale, and Other Similar Temporary Events

1. One (1) sign is permitted per frontage.
2. No event sign shall exceed six (6) square feet in area.
3. Signs shall be permitted for a period not to exceed three (3) days in advance of the event, and such signs shall be removed no more than twenty-four (24) hours after the day of the event.
4. As an exception to the provisions of paragraph (B)1 -3, signage, such as banner signs, for large scale, neighborhood or community-wide events or announcements, shall be permitted as follows:
 - i. No event or announcement sign shall exceed twenty (20) square feet in area, nor exceed eight (8) feet in height, as measured from grade on which the sign is located.
 - ii. Signs shall be permitted for a period of fourteen (14) days prior to the event, so long as the date of the event is clearly stated or understood on the sign. Signs shall be removed within seven (7) calendar days following the last day of the event.

(C) Political Signs: All political signs shall be restricted to private property except that the placement of temporary political signs on public property is authorized if the property is used as polling place for early or election day voting and only during the time period authorized for early or election day voting subject to the "campaign free zone" restrictions provided in the Illinois Election Code.

(D) Public Statement Signs: Signs expressing a public statement shall be restricted to private property. No such sign shall exceed six (6) square feet in area.

5-11-10: VARIATIONS/SPECIAL USES:

Variations: Requests for variations from this chapter may be sought pursuant to section 5-10-4. Requests for signage may also be sought pursuant to special use sought pursuant to section 5-10-7.

5-11-11: APPEALS:

Appeals relative to the interpretation of the language of this chapter shall be heard as set forth in section 5-10-5.

5-11-12: AMORTIZATION OF NONCONFORMING SIGNS:

All signs that become nonconforming by the application of the provisions of this chapter, shall be removed, altered or repaired so as to conform to the provisions of this chapter within sixty (60) months (the "amortization period") of the adoption of this chapter with the following exceptions:

(A) Temporary signs: The provisions of this chapter shall be applicable immediately to all such temporary signs.

(B) Subdivision and neighborhood signs: All subdivision and neighborhood signs in existence at the time of passage of this chapter and in conformance with this chapter shall be deemed permitted and legal conforming and shall not require any additional zoning approval.

5-11-13: PENALTY:

Any person or agents, employees or contractors of such person, who shall violate, disobey, omit, neglect or refuse to comply with, or who shall resist enforcement of any provisions of the sign regulations of the village shall be subject to the penalty provisions under section 1-4-1 of this code. Each day a violation continues shall constitute a separate offense.

ADDITIONAL AMENDMENTS TO OTHER SECTIONS

5-10-4: VARIATIONS:

...

(D) Authorized Variations: Variations from the regulations of this title shall be granted by the zoning board of appeals only in accordance with the standards established in subsection (C) of this section, and may be granted only in the following instances and in no others:

...

~~6. To increase by not more than twenty percent (20%) the gross area of any sign.~~

6. To vary the regulations as set forth in the Sign Regulations, section 5-11-1 et seq. by no more than twenty percent (20%) for any of the following: gross area of any sign, height above grade at the location of the sign, and/or setback.

5-10-7: SPECIAL USES:

....

(A) Special Uses, R1 District: The following special uses may be allowed in the R1 district:

....

Signs, which shall be deemed accessory to the principal use of the zoning lot or lots